

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

United States of America

Plaintiff(s)

CASE NUMBER: CR04-1239(A)-CAS

v.

TOCAYO LNU

Defendant(s)

WARRANT FOR ARREST

TO: UNITED STATES MARSHAL AND ANY AUTHORIZED UNITED STATES OFFICER

YOU ARE HEREBY COMMANDED to arrest **TOCAYO LNU**and bring him/her forthwith to the nearest Magistrate Judge to answer a(n): ☐ Complaint ☒ Indictment☐ Information ☐ Order of Court ☐ Probation Violation Petition ☐ Violation Notice

charging him/her with: (ENTER DESCRIPTION OF OFFENSE BELOW)

Conspiracy to Distribute Cocainein violation of Title 21; United States Code, Section(s) 846, 841(a)(1), 841(b)(1)(A):Sherri R. Carter

NAME OF ISSUING OFFICER

December 14, 2004LOS ANGELES, CALIFORNIA

DATE AND LOCATION OF ISSUANCE

Clerk of Court

TITLE OF ISSUING OFFICER

Rosalind Tyus-Simon

SIGNATURE OF DEPUTY CLERK

BY: ANDREW J. WISTRICH

NAME OF JUDICIAL OFFICER

RETURN

THIS WARRANT WAS RECEIVED AND EXECUTED WITH THE ARREST OF THE ABOVE-NAMED DEFENDANT AT (LOCATION):

DATE RECEIVED

NAME OF ARRESTING OFFICER

DATE OF ARREST

TITLE

DESCRIPTIVE INFORMATION FOR DEFENDANT
CONTAINED ON PAGE TWO

SIGNATURE OF ARRESTING OFFICER

WARRANT FOR ARREST

NOTE: All items are to be completed. Information not applicable or unknown shall be indicated as "N/A".

1. Alias Name(s) Pete
2. ☒ Indictment ☐ Information
a. Investigative agency (i.e., FBI, DEA, IRS, BICE, etc.) DEA
3. Offense charged as a: ☒ Felony
a. ☐ Misdemeanor ☐ Minor Offense ☐ Petty Offense
b. Date of Offenses Up to 8/25/04
c. County in which first offense occurred:
Los Angeles County
d. The crimes charged are alleged to have been committed in: (Check ALL that apply)
☒ Los Angeles ☐ Ventura
☐ Orange ☐ Santa Barbara
☐ Riverside ☐ San Luis Obispo
☐ San Bernardino ☐ Other
4. Citation of Offense: 21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(A)
5. This defendant is charged in: ☐ All Counts
☒ Only Count 1
6. X A complaint was previously filed on _____
case no. _____
charging _____
The complaint: ☐ Is still pending
☐ Was dismissed on _____
7. Has an information or indictment involving this defendant and the same transaction or series of transactions been previously filed and dismissed before trial? ☒ No
☐ Yes (Case No. _____)
8. X This is the first superseding charge (i.e., first, second, etc.). The superseding case was previously filed on September 2, 2004.
9. (Continued) The superseded cases:
☒ Is still pending before Judge Snyder as
10. Pursuant to Section 10.1 of General Order 224, criminal cases may be related if a previously filed information or indictment and the present case:
a. arise out of the same conspiracy, common scheme, transaction, series of transactions or events; or
b. involve one or more defendants in common, and would entail substantial duplication of labor in pretrial, trial or sentencing proceedings if heard by different judges.
Related case(s), if any, (Must attach Notice of Related Case): CR 04-952-CAS; CR 04-1239-CAS, 04-1516-CAS
11. N/A This defendant is designated as "High Risk" per 18 U.S.C. 3164(a)(2) by the U.S. Attorney.
12. N/A This is designated a "Special Case" per 18 U.S.C. 3166(b)(7).
13. Date of Birth Unknown
☐ Male ☐ Female
☐ U.S. Citizen ☐ Alien
14. Is defendant a juvenile? ☐ Yes ☒ No
If yes, should matter be sealed ☐ Yes ☒ No
15. Will sixteen (16) days or more be required to present government's evidence in the case in chief? ☐ Yes ☒ No
16. Is an interpreter required? ☐ No
☒ Yes (list language and/or dialect)
Spanish
17. The area of substantive law that will be involved in this case includes:
☐ financial institution fraud ☐ public corruption
☐ government fraud ☐ tax offenses
☐ Environmental issues ☐ mail/wire fraud
☒ Other: Narcotics

-OVER- #
CASE SUMMARY

05/11/2005

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
February 2004 Grand Jury

UNITED STATES OF AMERICA,)	CR 04-1239(A) -CAS
)	
Plaintiff,	)	<u>FIRST SUPERSEDING</u>
)	
v.	)	<u>I N D I C T M E N T</u>
)	
JORGE ORTIZ,	)	[21 U.S.C. §§ 846, 841(a)(1),
JESUS ORTIZ,	)	841(b)(1)(A): Conspiracy to
aka Tero,	)	Distribute Cocaine;
aka Mario Gonzalez,	)	21 U.S.C. §§ 846, 841(a)(1),
VICTOR GOMEZ-ORTIZ,	)	841(b)(1)(A): Conspiracy to
aka Pana,	)	Distribute Methamphetamine;
THURSTON STEWART III,	)	21 U.S.C. §§ 841(a)(1),
aka Dirk,	)	841(b)(1)(A): Distribution of
FINIS LAWRENCE ADAMS,	)	Cocaine; 21 U.S.C.
aka Larry Finis Adams,	)	§§ 841(a)(1), 841(b)(1)(A):
aka Lawrence Finis Adams,	)	Possession with Intent to
aka John Winston,	)	Distribute Methamphetamine]
aka Cat,)	
aka LA,)	
NORBERTO CHIHUAHUA,)	
aka Pete,)	
TOCAYO LNU, and)	
ROMAN RUIZ,)	
aka Chapo,)	
aka Chapito,)	
)	
Defendants.)	

PAB:pah

1 The Grand Jury charges:

2 COUNT ONE

3 [21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(A)]

4 A. OBJECT OF THE CONSPIRACY

5 Beginning on a date unknown, and continuing to on or about
6 August 25, 2004, in Los Angeles County, within the Central
7 District of California and elsewhere, defendants JORGE ORTIZ
8 ("ORTIZ"), JESUS ORTIZ, also known as ("aka") Toro ("TORO"), aka
9 Mario Gonzalez, VICTOR GOMEZ-ORTIZ, aka Pana ("PANA"), THURSTON
10 STEWART III, aka Dirk ("STEWART"), FINIS LAWRENCE ADAMS, aka
11 Larry Finis Adams, aka Lawrence Finis Adams, aka John Winston,
12 aka Cat, aka LA ("ADAMS"), ROMAN RUIZ, aka Chapo, aka Chapito
13 ("RUIZ"), and others known and unknown to the Grand Jury,
14 conspired and agreed with each other to knowingly and
15 intentionally distribute more than five (5) kilograms, that is,
16 at least 15 kilograms, of a mixture or substance containing a
17 detectable amount of cocaine, a schedule II narcotic drug
18 controlled substance, in violation of Title 21, United States
19 Code, Sections 841(a)(1) and 841(b)(1)(A).

20 B. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE
21 ACCOMPLISHED

22 The object of the conspiracy was to be accomplished in
23 substance as follows:

24 1. Defendants ORTIZ and TORO would arrange to purchase
25 large quantities of cocaine.

26 2. Defendant PANA would store the cocaine purchased by
27 defendants ORTIZ and TORO from cocaine suppliers.

28

1 3. Defendants ORTIZ and RUIZ would distribute the cocaine
2 to cocaine buyers.

3 4. Defendants STEWART and ADAMS would purchase cocaine
4 from defendant ORTIZ in order to distribute it to cocaine buyers.

5 C. OVERT ACTS

6 In furtherance of the conspiracy and to accomplish the
7 object of the conspiracy, defendants ORTIZ, TORO, PANA, STEWART,
8 ADAMS, and RUIZ, and others known and unknown to the Grand Jury,
9 committed various overt acts on or about the following dates,
10 within the Central District of California and elsewhere,
11 including but not limited to the following:

12 1. On May 1, 2004, using coded language in a telephone
13 conversation, defendant ORTIZ told defendant STEWART that he had
14 cocaine to sell.

15 2. On May 6, 2004, using coded language in a telephone
16 conversation, defendant TORO told defendant ORTIZ that an
17 unindicted coconspirator offered to sell them cocaine for \$13,700
18 per kilogram.

19 3. On May 27, 2004, using coded language in a telephone
20 conversation, defendant PANA told defendants ORTIZ and TORO that
21 defendant STEWART had called to arrange a cocaine delivery.

22 4. On May 27, 2004, using coded language in a telephone
23 conversation, defendant PANA told defendants ORTIZ and TORO that
24 an unindicted coconspirator needed to be paid for 8 kilograms of
25 cocaine.

26 5. On June 2, 2004, using coded language in a telephone
27 conversation, defendant ADAMS offered to purchase 5 kilograms of
28

1 cocaine from defendant ORTIZ.

2 6. On June 9, 2004, using coded language in a telephone
3 conversation, defendant ADAMS asked defendant ORTIZ if he had
4 cocaine to sell.

5 7. On June 9, 2004, using coded language in a telephone
6 conversation, defendant STEWART told defendant ORTIZ that he
7 wanted to meet defendant ORTIZ' cocaine supplier.

8 8. On July 5, 2004, using coded language in a telephone
9 conversation, defendant TORO told defendant ORTIZ that he needed
10 to pay an unindicted coconspirator for cocaine that defendants
11 ORTIZ and TORO had received.

12 9. On August 21, 2004, using coded language in a telephone
13 conversation, defendant STEWART told defendant ORTIZ that he
14 needed an additional kilogram of cocaine similar to the one that
15 he recently had obtained from defendant ORTIZ.

16 10. On August 25, 2004, in Los Angeles, California,
17 defendant: ORTIZ and RUIZ delivered approximately 16.72 kilograms
18 of cocaine to an unindicted coconspirator at the residence
19 located at 2445 Santa Ana Street, Walnut Park, California.

COUNT TWO

[21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)]

On or about August 25, 2004, in Los Angeles County, within the Central District of California, defendants JORGE ORTIZ and ROMAN RUIZ, also known as ("aka") Chapo, aka Chapito, knowingly and intentionally distributed more than five (5) kilograms, that is, approximately 16.72 kilograms, of a mixture or substance containing a detectable amount of cocaine, a schedule II narcotic drug controlled substance.

COUNT THREE

[21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(A)]

A. OBJECT OF THE CONSPIRACY

Beginning on a date unknown, and continuing to on or about August 25, 2004, in Los Angeles County, within the Central District of California and elsewhere, defendants JORGE ORTIZ ("ORTIZ"), NORBERTO CHIHUAHUA, also known as ("aka") Pete ("CHIHUAHUA"), TOCAYO LAST NAME UNKNOWN ("TOCAYO"), ROMAN RUIZ, aka Chapo, aka Chapito ("RUIZ"), and others known and unknown to the Grand Jury, conspired and agreed with each other to knowingly and intentionally distribute more than 500 grams, that is, at least 5 kilograms, of a mixture or substance containing a detectable amount of methamphetamine, a schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

B. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE ACCOMPLISHED

The object of the conspiracy was to be accomplished in substance as follows:

1. Defendant ORTIZ would purchase large quantities of methamphetamine from a methamphetamine supplier in Mexico.
2. Defendants ORTIZ and RUIZ would transport the methamphetamine to buyers.
3. Defendants CHIHUAHUA and TOCAYO would deliver cash derived from the sale of methamphetamine to defendant ORTIZ and unindicted coconspirators.

1 C. OVERT ACTS

2 In furtherance of the conspiracy and to accomplish the
3 object of the conspiracy, defendants ORTIZ, CHIHUAHUA, TOCAYO,
4 and RUIZ, and others known and unknown to the Grand Jury,
5 committed various overt acts on or about the following dates,
6 within the Central District of California and elsewhere,
7 including but not limited to the following:

8 1. On August 18, 2004, using coded language in a telephone
9 conversation, defendant ORTIZ told defendant TOCAYO that an
10 unnamed methamphetamine supplier had said that \$1,000 was missing
11 from the proceeds from the sale of methamphetamine that defendant
12 TOCAYO had delivered to the supplier.

13 2. On August 20, 2004, using coded language in a telephone
14 conversation, defendant ORTIZ told defendant CHIHUAHUA to
15 determine if defendant CHIHUAHUA's brother was ready to deliver
16 the proceeds from the sale of methamphetamine.

17 3. On August 20, 2004, using coded language in a telephone
18 conversation, defendant RUIZ told defendant ORTIZ that defendant
19 TOCAYO had asked him what was supposed to happen with the
20 methamphetamine that they had stored.

21 4. On August 20, 2004, using coded language in a telephone
22 conversation, defendant ORTIZ told defendant RUIZ that a
23 methamphetamine customer was not answering the telephone.

24 5. On August 21, 2004, using coded language in a telephone
25 conversation, defendant CHIHUAHUA told defendant ORTIZ that he
26 had not picked up proceeds from the sale of methamphetamine
27 because the methamphetamine customers had not yet arrived.

1 6. On August 25, 2004, at approximately 6:10 p.m.,
2 defendants ORTIZ and RUIZ arrived at a residence located at 229
3 West 103rd Street, Los Angeles, California.

4 7. On August 25, 2004, at approximately 8:30 p.m.,
5 defendants ORTIZ and RUIZ left the residence at 229 West 103rd
6 Street, Los Angeles, California, in possession of approximately
7 8.932 kilograms of methamphetamine.

COUNT FOUR


[21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)]

On or about August 25, 2004, in Los Angeles County, within the Central District of California, defendants JORGE ORTIZ and ROMAN RUIZ, also known as ("aka") Chapo, aka Chapito, knowingly and intentionally possessed with intent to distribute more than 500 grams, that is, approximately 8.932 kilograms, of a mixture or substance containing a detectable amount of methamphetamine, a schedule II controlled substance.

A TRUE BILL

Foreperson

DEBRA W. YANG
United States Attorney


STEVEN D. CLYMER
Special Assistant United States Attorney
Chief, Criminal Division

PETER A. HERNANDEZ
Assistant United States Attorney
Narcotics Section